



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

08/013,543

02/04/1993

RYOICHIRO SATO

35.C6297-CON

8612

5514

7590

04/22/2004

FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

CHIANG, JACK

ART UNIT

PAPER NUMBER

2642

DATE MAILED: 04/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/013 543

Applicant(s)

Sato

Examiner

J. Chiang

Group Art Unit

2642

#78

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3- MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 1-20-04.
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 31-34, 36-37, 39-50, 55-56 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 31-34, 36-37, 39-50, 55-56 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

CLAIMS

Art Rejection

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 31-33, 36-37, 39-41, 43, 49-50, 55-56 are rejected under 35

U.S.C. 102(e) as being anticipated by Konishi et al. (US 4720707).

Regarding claim 31, Konishi shows:

Obtaining means for obtaining an image by scanning a sheet (2);

Character-recognition means (col. 5, lines 51-55) for obtaining character data from the image;

Determining means for determining a type of character data (col. 5, lines 51-55) obtained by the character recognition means;

Display controller that controls a display of the image together with the character data arranged in a plurality of frames corresponding to each of the types determined by the determining means (col. 12, lines 50-53); and

memory for storing the image together with the character data (41-47).

Regarding claim 55, Konishi shows the steps of:

Obtaining an image by scanning a sheet (2);

Obtaining character data from the image by performing character recognition on the image (col. 5, lines 51-55);

Determining types of character data obtained by the character recognition (col. 5, lines 51-55);

Controlling a display of the image together with the character data arranged in a plurality of frames corresponding to each of the types determined by the determining means (col. 12, lines 50-53); and

Storing the image together with the character data (41-47).

Regarding claim 55, Konishi shows the steps of:

Obtaining an image by scanning a sheet (2);

Obtaining character data from the image by performing character recognition on the image (col. 5, lines 51-55);

Determining types of character data (col. 5, lines 51-55) obtained by the character recognition;

Controlling a display of the image together with the character data arranged in a plurality of frames corresponding to each of the types determined by the determining means (col. 12, lines 50-53); and

Storing the image together with the character data (41-47).

Art Unit: 2642

Regarding claims 32-33, 36-37, 39-41, 43, 49-50, Konishi shows:

the image data and the plurality of frames are displayed side-by-side (col. 12, lines 50-53);

The determining means (col. 5, lines 51-55);

memory stores the image data and the character data (41-47);

A manual entry device and means for correcting and adding means (col. 12, lines 50-53);

Copying means (3);

Searching unit (col. 4, lines 57-62, 67-68, col. 5, lines 1-2);

A selector (col. 4, lines 67-68, col. 5, lines 1-2);

A communication controller (col. 4, lines 7-13, 25-30);

The image reader (2);

Instruction for the reader, registration and display (figs. 1-2, col. 4, lines 7-39).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 34, 42, 44-48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zamora in view of Konishi et al in view of Murata et al. (US 4670791).

Regarding claims 34, 42, 44-48, Konishi shows the stored documents and enabling exchange of documents with another system through a communication channel (col. 4, lines 7-13).

Konishi differs from the claimed invention in that it does not show the communication is performed based on the phone numbers on the documents.

However, Murata teaches to set up a communication based on the phone numbers read from the documents (col. 6, lines 16-30).

Hence, it would have been obvious for one skilled in the art to adapt Murata's communication method in Konishi, such that to prevent the transmission of a document to a wrong destination by reading the phone numbers directly from the documents (col. 6, lines 16-30, col. 1, lines 50-52 in Murata).

ARGUMENT

5. In response to the remarks (pages 3-6) filed on 01-20-04, the examiner cites Konishi's col. 5, lines 51-55 as teaching the "character recognition means" and "determining means", applicant mainly argues that nothing in the passage says that the text pages have been subjected to character recognition.... Applicant further cited Konishi's col. 5, lines 3-50. The examiner disagrees. First, the marks in Konishi's col. 5, lines 3-50 appears to indicate the beginning of a patent. Second, the key terms in the cited col. 5 are "patent specification" and "drawings". How do you know it is a "patent specification" if you can't "recognize" it? In other words, there are two memory locations for the "patent specification" and the "drawings" respectively, if it is no able to

Art Unit: 2642

"recognize" that the "patent specification" (i.e. text) is different from the "drawings", why is it able to store these two different things ("patent specification" and "drawings") into two different memory location? **Third, if it is not able to perform "recognition", how can you edit it? See col. 12, lines 45-53.**

5. Applicant's arguments filed on 01-20-04 have been fully considered but they are not persuasive. See rejections and argument above.

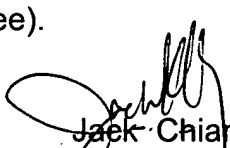
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack Chiang whose telephone number is 703-305-4728. The examiner can normally be reached on Mon.-Fri. from 8:00 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 703-305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jack Chiang
Primary Examiner
Art Unit 2642